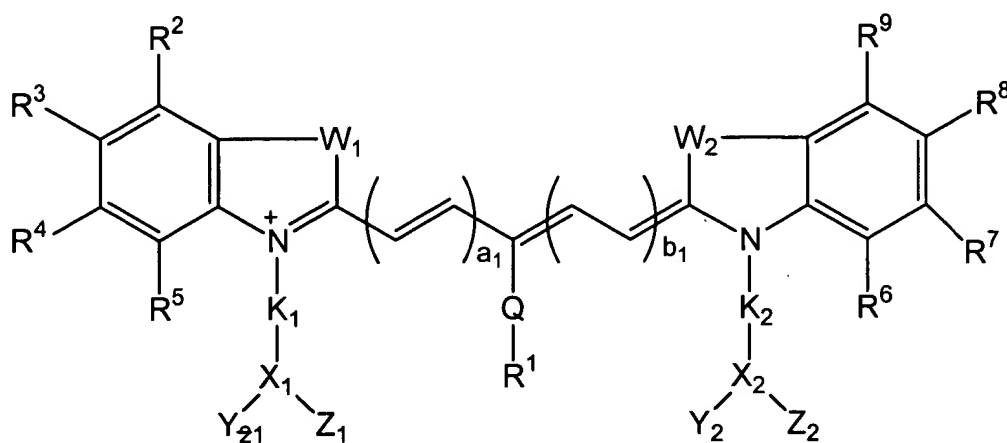


## IN THE SPECIFICATION

Replace the paragraph beginning on page 5, line 22, and ending on page 8, line 7, with the following rewritten paragraph:

The invention relates to novel compositions comprising cyanine dyes having a general formula 1



### Formula 1

wherein W<sub>1</sub> and W<sub>2</sub> may be the same or different and are selected from the group consisting of -CR<sup>10</sup>R<sup>11</sup>, -O-, -NR<sup>12</sup>, -S-, and -Se; Y<sub>1</sub>, Y<sub>2</sub>, Z<sub>1</sub>, and Z<sub>2</sub> are independently selected from the group consisting of hydrogen, tumor-specific agents, phototherapy

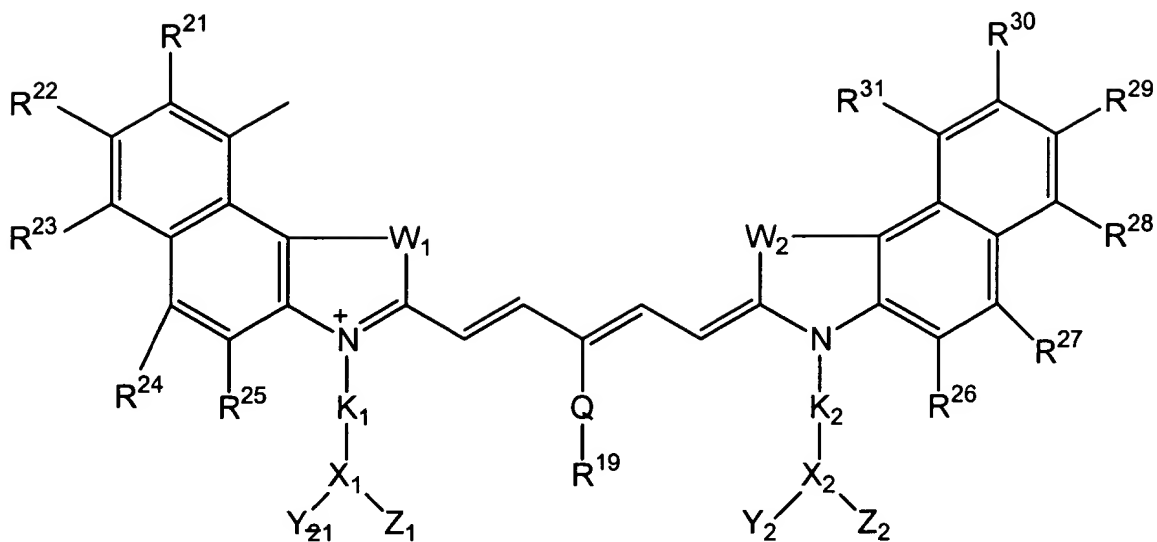
agents,  $-\text{CONH-Bm}$ ,  $-\text{NHCO-Bm}$ ,  $-(\text{CH}_2)_a-\text{CONH-Bm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{CONH-Bm}$ ,  $-(\text{CH}_2)_a-\text{NHCO-Bm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{NHCO-Bm}$ ,  $-(\text{CH}_2)_a-\text{N(R}^{12})-(\text{CH}_2)_b-\text{CONH-Bm}$ ,  $-(\text{CH}_2)_a-\text{N(R}^{12})-(\text{CH}_2)_c-\text{NHCO-Bm}$ ,  $-(\text{CH}_2)_a-\text{N(R}^{12})-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{CONH-Bm}$ ,  $-(\text{CH}_2)_a-\text{N(R}^{12})-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{NHCO-Bm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{N(R}^{12})-(\text{CH}_2)_a-\text{CONH-Bm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{N(R}^{12})-(\text{CH}_2)_a-\text{NHCO-Bm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{N(R}^{12})-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_d-\text{CONH-Bm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{N(R}^{12})-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_d-\text{NHCO-Bm}$ ,  $-\text{CONH-Dm}$ ,  $-\text{NHCO-Dm}$ ,  $-(\text{CH}_2)_a-\text{CONH-Dm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{CONH-Dm}$ ,  $-(\text{CH}_2)_a-\text{NHCO-Dm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{NHCO-Dm}$ ,  $-(\text{CH}_2)_a-\text{N(R}^{12})-(\text{CH}_2)_b-\text{CONH-Dm}$ ,  $-(\text{CH}_2)_a-\text{N(R}^{12})-(\text{CH}_2)_c-\text{NHCO-Dm}$ ,  $-(\text{CH}_2)_a-\text{N(R}^{12})-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{CONH-Dm}$ ,  $-(\text{CH}_2)_a-\text{N(R}^{12})-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{NHCO-Dm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{N(R}^{12})-(\text{CH}_2)_a-\text{CONH-Dm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{N(R}^{12})-(\text{CH}_2)_a-\text{NHCO-Dm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{N(R}^{12})-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_d-\text{CONH-Dm}$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{N(R}^{12})-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_d-\text{NHCO-Dm}$ ,  $-(\text{CH}_2)_a-\text{N R}^{12}\text{R}^{13}$ , and  $-\text{CH}_2(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2\text{N R}^{12}\text{R}^{13}$ ;  $\text{K}_1$  and  $\text{K}_2$  are independently selected from the group consisting of  $\text{C}_1\text{-C}_{30}$  alkyl,  $\text{C}_5\text{-C}_{30}$  aryl,  $\text{C}_1\text{-C}_{30}$  alkoxy,  $\text{C}_1\text{-C}_{30}$  polyalkoxyalkyl,  $\text{C}_1\text{-C}_{30}$  polyhydroxyalkyl,  $\text{C}_5\text{-C}_{30}$  polyhydroxyaryl,  $\text{C}_1\text{-C}_{30}$  aminoalkyl, saccharides, peptides,  $-\text{CH}_2(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-$ ,  $-(\text{CH}_2)_a-\text{CO}-$ ,  $-(\text{CH}_2)_a-\text{CONH}-$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{CONH}-$ ,  $-(\text{CH}_2)_a-\text{NHCO}-$ ,  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CH}_2-\text{NHCO}-$ ,  $-(\text{CH}_2)_a-\text{O}-$ , and  $-\text{CH}_2-(\text{CH}_2\text{OCH}_2)_b-\text{CO}-$ ;  $\text{X}_1$  and  $\text{X}_2$  are single bonds, or are independently selected from the group consisting of nitrogen, saccharides,  $-\text{CR}^{14}-$ ,  $-\text{CR}^{14}\text{R}^{15}$ ,  $-\text{NR}^{16}\text{R}^{17}$ ;  $\text{C}_5 - \text{C}_{30}$  aryl;  $\text{Q}$  is a single bond or is selected from the group consisting of  $-\text{O}-$ ,  $-\text{S}-$ ,  $-\text{Se}-$ , and  $-\text{NR}^{18}$ ;  $a_1$  and  $b_1$  independently vary from 0 to 5;  $\text{R}^1$  to  $\text{R}^{13}$ , and  $\text{R}^{18}$  are independently selected from the group consisting of hydrogen,  $\text{C}_1\text{-C}_{10}$  alkyl,  $\text{C}_5\text{-C}_{20}$  aryl,  $\text{C}_1\text{-C}_{10}$  alkoxy,  $\text{C}_1\text{-C}_{10}$  polyalkoxyalkyl,  $\text{C}_1\text{-C}_{20}$  polyhydroxyalkyl,  $\text{C}_5\text{-C}_{20}$

polyhydroxyaryl, C<sub>1</sub>-C<sub>10</sub> aminoalkyl, cyano, nitro, halogens, saccharides, peptides, -CH<sub>2</sub>(CH<sub>2</sub>OCH<sub>2</sub>)<sub>b</sub>-CH<sub>2</sub>-OH, -(CH<sub>2</sub>)<sub>a</sub>-CO<sub>2</sub>H, -(CH<sub>2</sub>)<sub>a</sub>-CONH-Bm, -CH<sub>2</sub>-(CH<sub>2</sub>OCH<sub>2</sub>)<sub>b</sub>-CH<sub>2</sub>-CONH-Bm, -(CH<sub>2</sub>)<sub>a</sub>-NHCO-Bm, -CH<sub>2</sub>-(CH<sub>2</sub>OCH<sub>2</sub>)<sub>b</sub>-CH<sub>2</sub>-NHCO-Bm, -(CH<sub>2</sub>)<sub>a</sub>-OH and -CH<sub>2</sub>-(CH<sub>2</sub>OCH<sub>2</sub>)<sub>b</sub>-CO<sub>2</sub>H; R<sup>14</sup> to R<sup>17</sup> are independently selected from the group consisting of hydrogen, C<sub>1</sub>-C<sub>10</sub> alkyl, C<sub>5</sub>-C<sub>20</sub> aryl, C<sub>1</sub>-C<sub>10</sub> alkoxy, C<sub>1</sub>-C<sub>10</sub> polyalkoxyalkyl, C<sub>1</sub>-C<sub>20</sub> polyhydroxyalkyl, C<sub>5</sub>-C<sub>20</sub> polyhydroxyaryl, C<sub>1</sub>-C<sub>10</sub> aminoalkyl, saccharides, peptides, -CH<sub>2</sub>(CH<sub>2</sub>OCH<sub>2</sub>)<sub>b</sub>-CH<sub>2</sub>-, -(CH<sub>2</sub>)<sub>a</sub>-CO-, -(CH<sub>2</sub>)<sub>a</sub>-CONH-, -CH<sub>2</sub>-(CH<sub>2</sub>OCH<sub>2</sub>)<sub>b</sub>-CH<sub>2</sub>-CONH-, -(CH<sub>2</sub>)<sub>a</sub>-NHCO-, -CH<sub>2</sub>-(CH<sub>2</sub>OCH<sub>2</sub>)<sub>b</sub>-CH<sub>2</sub>-NHCO-, -(CH<sub>2</sub>)<sub>a</sub>-O-, and -CH<sub>2</sub>-(CH<sub>2</sub>OCH<sub>2</sub>)<sub>b</sub>-CO-; Bm and Dm are independently selected from the group consisting of bioactive peptides, proteins, cells, antibodies, antibody fragments, saccharides, glycopeptides, peptidomimetics, drugs, drug mimics, hormones, metal chelating agents, radioactive or nonradioactive metal complexes, echogenic agents, photoactive molecules, and phototherapy agents (photosensitizers); a and c independently vary from 1 to 20; b and d independently vary from 1 to 100.

**Replace the paragraph beginning on page 8, line 8, and ending on page 9, line 3, with the following rewritten paragraph:**

The invention also relates to the novel composition comprising

carbocyanine dyes having a general formula 2

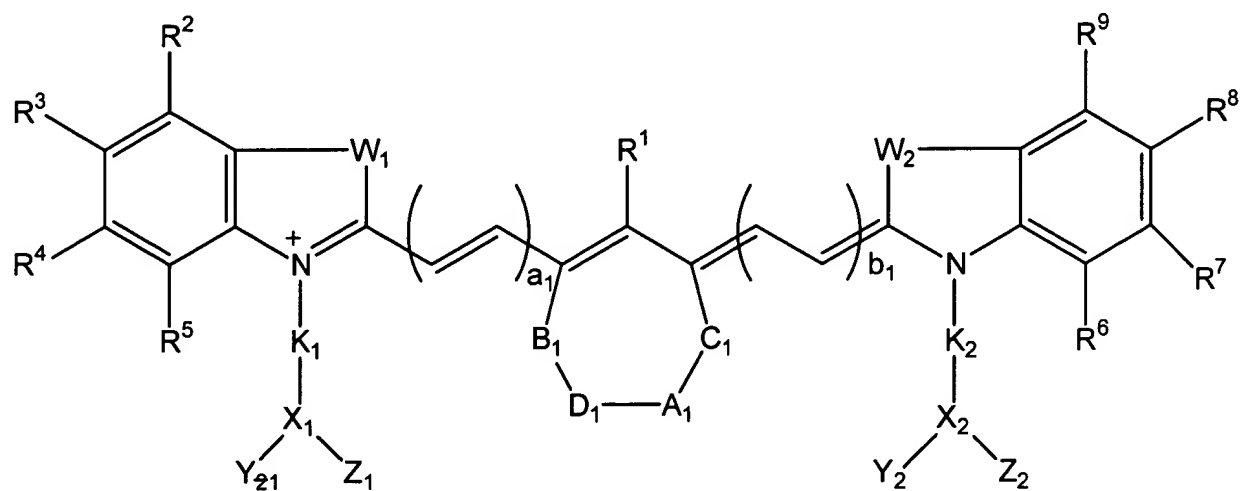


### Formula 2

wherein  $W_1$ ,  $W_2$ ,  $Y_1$ ,  $Y_2$ ,  $Z_1$ ,  $Z_2$ ,  $K_1$ ,  $K_2$ ,  $Q$ ,  $X_1$ ,  $X_2$ ,  $a_1$ , and  $b_1$  are defined in the same manner as in Formula 1; and  $R^{19}$  to  $R^{31}$  are defined in the same manner as  $R^1$  to  $R^9$  in Formula 1.

Replace the paragraph beginning on page 9, line 4, and ending on page 10, line 2, with the following rewritten paragraph:

The invention also relates to the novel composition comprising carbocyanine dyes having a general formula 3

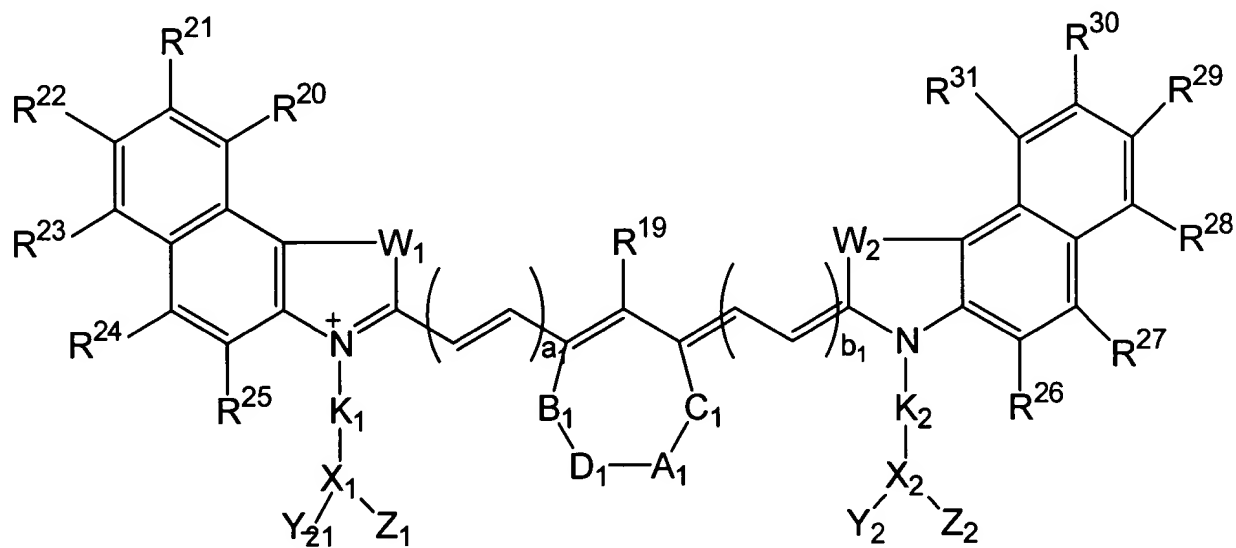


### Formula 3

wherein  $A_1$  is a single or a double bond;  $B_1$ ,  $C_1$ , and  $D_1$  are independently selected from the group consisting of -O-, -S-, -Se-, -P-, -CR<sup>10</sup>R<sup>11</sup>, -CR<sup>11</sup>, alkyl, NR<sup>12</sup>, and -C=O;  $A_1$ ,  $B_1$ ,  $C_1$ , and  $D_1$  may together form a 6- to 12-membered carbocyclic ring or a 6- to 12-membered heterocyclic ring optionally containing one or more oxygen, nitrogen, or sulfur atoms; and  $W_1$ ,  $W_2$ ,  $Y_1$ ,  $Y_2$ ,  $Z_1$ ,  $Z_2$ ,  $K_1$ ,  $K_2$ ,  $X_1$ ,  $X_2$ ,  $a_1$ ,  $b_1$ , and  $R^1$  to  $R^{12}$  are defined in the same manner as in Formula 1.

Replace the paragraph beginning on page 10, line 3, and ending on page 10, line 10, with the following rewritten paragraph:

The present invention also relates to the novel composition comprising carbocyanine dyes having a general formula 4



#### Formula 4

wherein  $A_1$ ,  $B_1$ ,  $C_1$ , and  $D_1$  are defined in the same manner as in Formula 3;  $W_1$ ,  $W_2$ ,  $Y_1$ ,  $Y_2$ ,  $Z_1$ ,  $Z_2$ ,  $K_1$ ,  $K_2$ ,  $X_1$ ,  $X_2$ ,  $a_1$ , and  $b_1$  are defined in the same manner as in Formula 1; and  $R^{19}$  to  $R^{31}$  are defined in the same manner as  $R^1$  to  $R^9$  in Formula 1.

Replace the paragraph beginning on page 13, line 7, and ending on page 14, line 9, with the following rewritten paragraph:

115 In two other ~~embodiment~~ embodiments, the bioconjugates according to the present invention have the formulas 3 or 4 wherein  $W_1$  and  $W_2$  may be the same or different and are selected from the group consisting of  $-C(CH_3)_2$ ,  $-C((CH_2)_aOH)CH_3$ ,  $-C((CH_2)_aOH)_2$ ,  $-C((CH_2)_aCO_2H)CH_3$ ,  $-C((CH_2)_aCO_2H)_2$ ,  $-C((CH_2)_aNH_2)CH_3$ ,  $-C((CH_2)_aNH_2)_2$ ,  $-C((CH_2)_aNR^{12}R^{13})_2$ ,  $-NR^{12}$ , and  $-S-$ ;  $Y_1$  and  $Y_2$  are selected from the group consisting of hydrogen, tumor-specific agents,  $-CONH-Bm$ ,  $-NHCO-Bm$ ,  $-(CH_2)_a-CONH-Bm$ ,  $-CH_2-(CH_2OCH_2)_b-CH_2-CONH-Bm$ ,  $-(CH_2)_a-NHCO-Bm$ ,  $-CH_2-(CH_2OCH_2)_b-CH_2-NHCO-Bm$ ,  $-(CH_2)_a-NR^{12}R^{13}$ , and  $-CH_2(CH_2OCH_2)_b-CH_2NR^{12}R^{13}$ ;  $Z_1$  and  $Z_2$  are independently selected from the group consisting of hydrogen, phototherapy agents,  $-CONH-Dm$ ,  $-NHCO-Dm$ ,  $-(CH_2)_a-CONH-Dm$ ,  $-CH_2-(CH_2OCH_2)_b-CH_2-CONH-Dm$ ,  $-(CH_2)_a-NHCO-Dm$ ,  $-CH_2-(CH_2OCH_2)_b-CH_2-NHCO-Dm$ ,  $-(CH_2)_a-NR^{12}R^{13}$ , and  $-CH_2(CH_2OCH_2)_b-CH_2NR^{12}R^{13}$ ;  $K_1$  and  $K_2$  are independently selected from the group consisting of  $C_1-C_{10}$  alkyl,  $C_5-C_{20}$  aryl,  $C_1-C_{20}$  alkoxy,  $C_1-C_{20}$  aminoalkyl,  $-(CH_2)_a-CO-$ ,  $-(CH_2)_a-CONH-$ ,  $-CH_2-(CH_2OCH_2)_b-CH_2-CONH-$ ,  $-(CH_2)_a-NHCO-$ ,  $-CH_2-(CH_2OCH_2)_b-CH_2-NHCO-$ , and  $-CH_2-(CH_2OCH_2)_b-CO-$ ;  $X_1$  and  $X_2$  are single bonds or are independently selected from the group consisting of nitrogen,  $-CR^{14}-$ ,  $-CR^{14}R^{15}$ , and  $-NR^{16}R^{17}$ ;  $A_1$  is a single or a double bond;  $B_1$ ,  $C_1$ , and  $D_1$  are independently selected from the group consisting of  $-O-$ ,  $-S-$ ,  $-CR^{11}$ , alkyl,  $NR^{12}$ , and  $-C=O$ ;  $A_1$ ,  $B_1$ ,  $C_1$ , and  $D_1$  may together form a 6- to 12-membered carbocyclic ring or a 6- to 12-membered heterocyclic ring

AB optionally containing one or more oxygen, nitrogen, or sulfur atoms;  $a_1$  and  $b_1$  independently vary from 0 to 3;  $B_m$  is selected from the group consisting of bioactive peptides containing 2 to 30 amino acid units, proteins, antibody fragments, mono- and oligosaccharides; bioactive peptides, protein, and oligosaccharide;  $D_m$  is selected from the group consisting of photosensitizers, photoactive molecules, and phototherapy agents;  $a$  and  $c$  independently vary from 1 to 20; and  $b$  and  $d$  independently vary from 1 to 100.

Replace the heading on page 20, lines 20 to 21 with the following

rewritten heading:

A4 Synthesis of Peptide-Dye Conjugates (Figure 1B,  $n=4$   $R_1$  = octreotate,  $R_2 = R_1$  or OH? OH)

Replace the paragraph beginning on page 20, line 22, and ending

on page 21, line 13, with the following rewritten paragraph:

A1 Octreotate-bispentylcarboxymethylindocyanine dye was prepared as described in Example 4 with some modifications. Bispentylcarboxymethylindocyanine dye (60 mg, 75  $\mu$ moles) was added to 400  $\mu$ l activation reagent consisting of 0.2 M HBTU/HOBt and 0.2 M of diisopropylethylamine in DMSO. The activation was complete in about 30 minutes and the resin-bound peptide (25  $\mu$ moles) was added to the dye. The reaction was carried out at ambient temperature for 3 hours. The mixture was filtered and the solid residue was washed with DMF, acetonitrile and THF. After drying the green residue, the peptide was cleaved from the resin and the side chain



A7  
protecting groups were removed with a mixture of trifluoroacetic acid:water:thioanisole:phenol (85:5:5:5<sup>v/v</sup>). The resin was filtered and cold t-butyl methyl ether (MTBE) was used to precipitate the dye-peptide conjugate. The conjugate was dissolved in acetonitrile:water (2:3<sup>v/v</sup>) and lyophilized. The product was purified by HPLC to give octreotate-1,1,2-trimethyl-[1H]-benz[e]indole propanoic acid conjugate (40%, 10%), monooctreotate-bis(pentylcarboxymethyl)indocyanine dye (Cytate 3, 60%, n = 4, R<sub>2</sub> = OH) and bisoctreotate-bis(pentylcarboxymethyl)indocyanine dye (Cytate 4, 30%, n = 4, R<sub>1</sub> = R<sub>2</sub>).

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**Replace the paragraph beginning on page 21, line 17, and ending on page 22, line 8, with the following rewritten paragraph:**

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A8  
Bis(pentylcarboxymethyl)indocyanine dye (cyhex, 60 mg, 75  $\mu$ moles) in dichloromethane is reacted with cyanuric acid fluoride (21 mg, 150  $\mu$ moles) in the presence of pyridine (12 mg, 150  $\mu$ moles) for 30 minutes to produce an acid anhydride. One molar equivalent of 2-[1-hexyloxyethyl]-2-devinylpyropheophorbide-a (HPPH, Figure 1D, T = -NHC<sub>2</sub>H<sub>4</sub>NH<sub>2</sub>) is added to the anhydride to form the cyhex-HPPH conjugate with a free carboxylic acid group. This intermediate is added to an activation reagent consisting of a 0.2 M solution of HBTU/HOBt in DMSO (400  $\mu$ l), and a 0.2 M solution of diisopropylethylamine in DMSO (400  $\mu$ l). Activation of the carboxylic acid is complete in about 30 minutes. Resin-bound peptide (octreotate, 25  $\mu$ moles), is prepared as described in Example 4, is added to the mixture. The reaction is carried out at ambient temperature for 8 hours. The mixture is filtered at and the solid residue

A8  
is washed with DMF, acetonitrile and THF. After drying the dark residue at ambient temperature, the peptide derivative is cleaved from the resin and the side chain protecting groups are removed with a mixture of trifluoroacetic acid:water:thioanisole:phenol (85:5:5:5<sup>v/v</sup>). After filtering the resin, cold t-butyl methyl ether (MTBE) is used to precipitate the dye-peptide conjugate, which is then lyophilized in acetonitrile:water (2:3<sup>v/v</sup>).

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**Replace the paragraph on page 22, lines 22 to 26, with the following rewritten paragraph:**

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A9  
Orthogonally protected Fmoc-lysine(Mtt)<sup>0</sup> Octreotate was prepared on a solid support, as described in Examples 3 and 4. The Fmoc group of Fmoc-lysine(Mtt)<sup>0</sup> is removed from the solid support with 20% piperidine in DMF. HPPH (Figure 1D, T = -OH), pre-activated with HBTU coupled to the free  ~~$\alpha$ -amino~~  $\alpha$ -amino group of lysine.

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**Replace the paragraph beginning on page 28, line 22, and ending on page 29, line 12 with the following rewritten paragraph:**

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A10  
The method for photodynamic therapy is well documented in the literature [Rezzoug H., et al. In Vivo Photodynamic Therapy with meso-Tetra (m-hydroxyphenyl)chlorin (mTHPC): Influence of Light Intensity and Optimization of Photodynamic Efficiency. *Proc. SPIE* (1996), 2924, 181-186; Stranadko E., et al. Photodynamic Therapy of Recurrent Cancer of Oral Cavity, an Alternative to Conventional Treatment. *Proc. SPIE* (1996), 2924, 292-297]. A solution of the peptide-

110 dye-phototherapy bioconjugate is prepared as described in Example 7 (5  $\mu\text{mol/mL}$  of 15% DMSO in water, 0.5 mL) and is injected into the tail vein of the tumor-bearing rat. The rat is imaged 24 hours post injection as described in Examples 9-11 to localize the tumor. Once the tumor region is localized, the tumor is irradiated with light of 700 nm (which corresponds to the maximum absorption wavelength of HPPH, the component of the conjugate that effects PDT). The energy of radiation is 10 J/cm<sup>2</sup> at 160 mW/cm<sup>2</sup>. The laser light is ~~transmitted~~ transmitted through a fiber optic, which is directed to the tumor. The rat is observed for 7 days and any decrease in tumor volume is noted. If the tumor is still present, a second dose of irradiation is repeated as ~~described~~ described above until the tumor is no longer palpable.

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**Replace the paragraph on page 29, lines 13 to 18, with the following rewritten paragraph:**

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111 For localized therapy, a diagnostic amount of cytate (0.5 mL/0.2 Kg kg rat) is injected into the tail vein of the tumor-bearing rat and optical images are obtained as described in Examples 9-11. A solution of the peptide-dye-phototherapy bioconjugate is prepared as described in Example 7 (5  $\mu\text{mol/mL}$  of 15% DMSO in water, 1.5 mL) and is injected directly into the tumor. The tumor is irradiated as described above.

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